

REMARKS

The Office Action dated September 11, 2003 has been reviewed and the Examiner's comments carefully considered. Claims 1-9, 13 and 15 have been canceled. Claims 10-12, 14, and 16-17 have been amended. Claims 18-23 have been added. As a result of the amendment, claims 10-12 and 16-17 and 19, and 22 are in independent form. Claims 10-12 and 16-23 are pending and submitted for reconsideration.

Prior Art Rejections

Claims 10-12, 14 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono. In addition, claims 10-12, 14 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over claim 1 of Inagawa in view of Ono. The rejection should be withdrawn because, as described below, neither Inagawa nor Ono (alone or in combination) disclose, teach or suggest the claimed invention.

Claims 10 and 11

Claims 10 and 11 define a seat belt retractor comprising "a rib to prevent backlash" and where "the rib is formed by a punch." Neither reference teaches, discloses or suggests forming a rib by punching. The Office Action states that the use of a punch to form a rib is "old and well known in the metal working art." However, there is no disclosure in Ono prior art of using a punch to form a rib. The Office Action does not cite to any reference disclosing such a feature, and applicants respectfully request evidence of such knowledge, per M.P.E.P. 2144.03. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 12, 14 and 18

The rejection of claims 12 and 14 should be withdrawn because the references when taken alone, or in combination, fail to disclose the claimed invention. Ono does not teach, disclose or suggest “a rib to prevent backlash” and “wherein the rib includes an arc-shaped cross section” as required by claim 12. The Office Action states that the particular shape of the ribs would have been obvious to one of ordinary skill in the art. However, neither Ono nor Inagawa include such a teaching. Furthermore, the Office Action does not cite any prior art disclosing such features. The only suggestion of the importance of using ribs of a particular shape and configuration is contained in the present application. However, any reliance on the present application would constitute impermissible hindsight reasoning. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 14 and 18 depend from claim 12 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable limitations contained therein. These patentable limitations include, for example, “rib that varies in width in the axial direction” as recited in claim 14. Neither Ono nor Inagawa disclose such a limitation.

Claims 16 and 17

The rejection should be withdrawn because the references when taken alone, or in combination, fail to disclose the claimed invention. In particular, neither Ono nor Inagawa teaches, discloses or suggests a “backlash preventing structure” that “includes a tapered portion” as called for by claims 16 and 17. The Office Action states that any shape of the rib would have been obvious to one of ordinary skill in the art, but does not cite any prior art disclosing such features. The only suggestion of the importance of using a backlash preventing structure having a tapered portion is contained in the present application. However, any reliance on the present application would constitute impermissible hindsight reasoning. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 19-23

The inventions of claims 19-23 are not disclosed, taught or suggested in the cited prior art. For example, claim 19 recites a retractor having a backlash preventing rib that “includes a quadrilateral cross section.” Further by way of example, claim 22 recites a

method that includes punching "the reel or the locking mechanism ... creating a backlash preventing rib." Claims 20, 21 and 23 contain similar patentable limitations. Allowance of claims 19-23 is respectfully requested.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would expedite allowance of the application.

Respectfully submitted,

Date: December 11, 2003

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5582
Facsimile: (202) 672-5399

By: Hd 86

Howard N. Shipley
Attorney for Applicant
Registration No. 39,370

SHOULD ADDITIONAL FEES BE NECESSARY IN CONNECTION WITH THE FILING OF THIS PAPER, OR IF A PETITION FOR EXTENSION OF TIME IS REQUIRED FOR TIMELY ACCEPTANCE OF SAME, THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE DEPOSIT ACCOUNT NO. 19-0741 FOR ANY SUCH FEES; AND APPLICANT(S) HEREBY PETITION FOR ANY NEEDED EXTENSION OF TIME.